

APPENDIX E

AGENCIES CONTACTED

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Department of Energy

Oak Ridge Operations Office
P.O. Box 2001
Oak Ridge, Tennessee 37831—

June 2, 1999

Mr. Reginald Reeves, Director
Division of Natural Heritage
State of Tennessee
Department of Environment and Conservation
401 Church Street
Nashville, Tennessee 37243-0443

Dear Mr. Reeves:

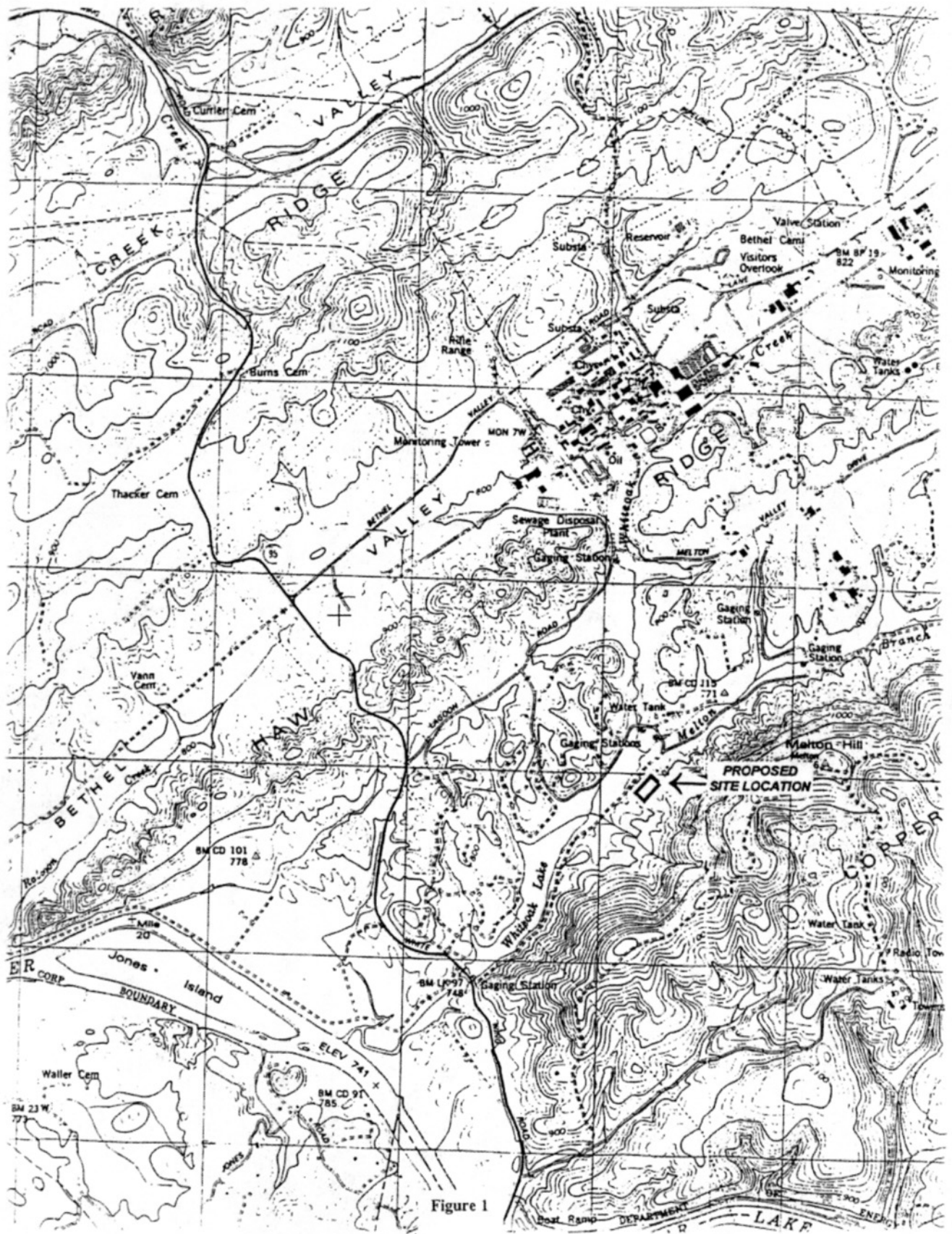
**INFORMAL CONSULTATION UNDER THE ENDANGERED SPECIES ACT FOR THE
PROPOSED TRANSURANIC WASTE TREATMENT PROJECT AT THE OAK RIDGE
RESERVATION, OAK RIDGE, TENNESSEE**

The United States Department of Energy (DOE) needs to ensure the safe and efficient retrieval, processing, certification, and disposition of legacy transuranic (TRU) waste at Oak Ridge National Laboratory (ORNL). The regional location of ORNL is shown in Figure 1. Waste retrieval operations are currently underway to prepare ORNL TRU waste for processing.

Under the proposed action, a waste treatment facility for the ORNL legacy TRU waste would be constructed, operated for approximately six years, and decontaminated/decommissioned under a contract awarded to the Foster Wheeler Environmental Corporation. DOE would lease the Melton Valley Storage Tanks and adjacent land area totaling approximately 10 acres for construction of the facility. The proposed 37,000 square foot treatment facility would be located within an approximate 5 acre plot of land, fenced, and have controlled access to Tennessee State Highway 95 located 1.25 miles away. The first shipment of treated waste to the Waste Isolation Pilot Plant (WIPP) facility for disposal would be expected in 2003. The proposed construction area is shown in Figure 2.

The area can currently be described as second growth forest that consists of mixed hardwoods and pine plantations. This area is small in comparison to the almost 3,600 acres that comprise ORNL. In a 1988 survey of the surrounding area, executed for a formerly proposed treatment facility, no federally or State listed or candidate plant or animal species were observed adjacent to this site. Two species listed by the State of Tennessee as in need of management, the red-shouldered hawk and black vulture, may occur at the site but have not been documented as nesting there. Field surveys are currently ongoing at the proposed project site for both protected/rare plant and animal species. No rare plant species or federally protected animal species have been identified, although the animal survey has not yet been completed.

This letter is intended to serve as informal consultation under the Endangered Species Act. In this regard, DOE requests an updated list of protected species and habitat on or near the project site and solicits your recommendations and comments about the potential effects of this proposed action. Your input will be used in the preparation of an environmental impact statement for this action pursuant to the National Environmental Policy Act.



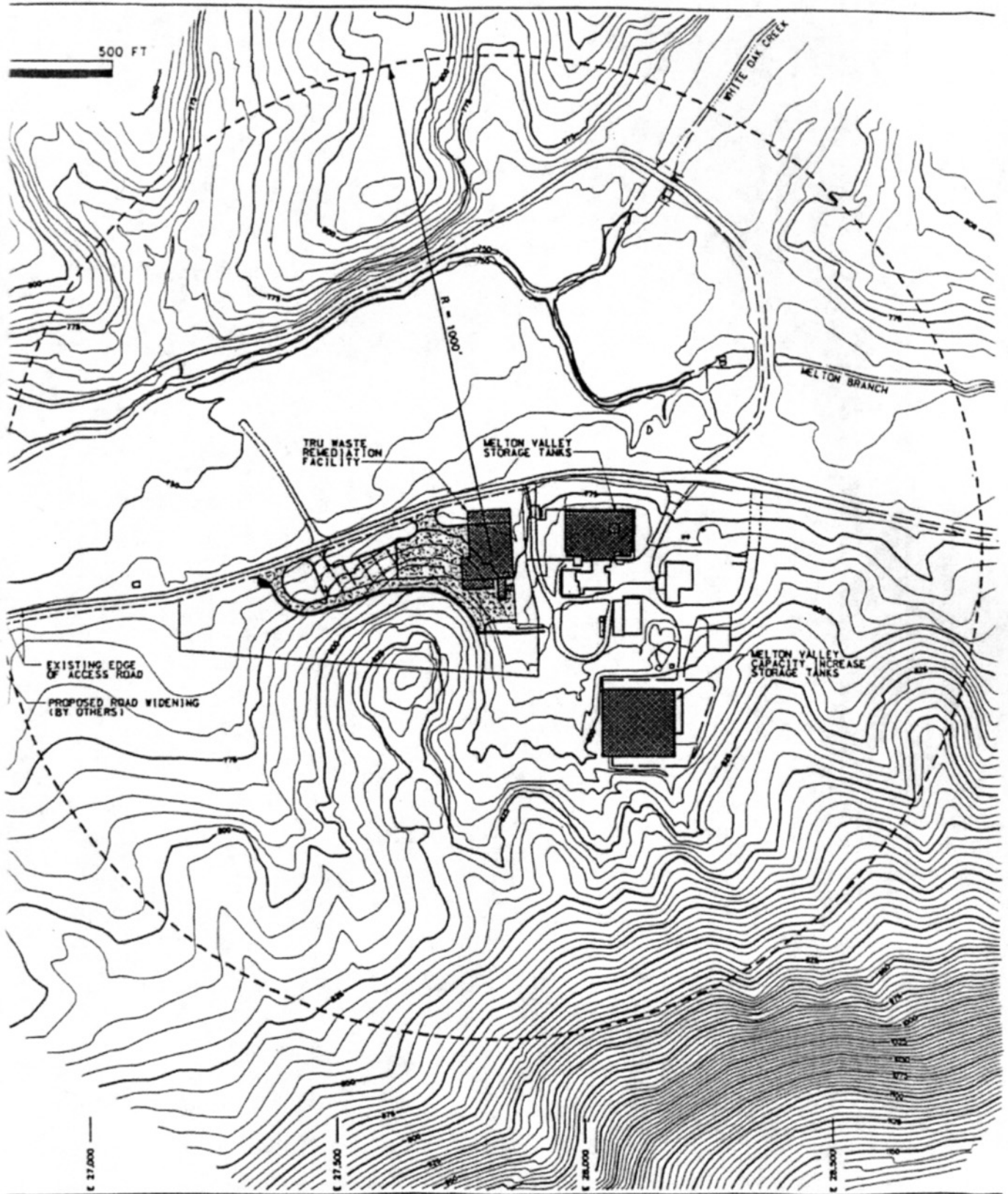


Figure 2

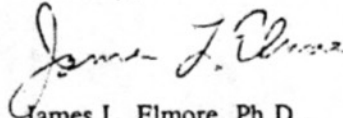
Mr. Reginald Reeves

-2-

June 2, 1999

If you need further information on this request, please do not hesitate to call me at (423) 576-0938.

Sincerely,

A handwritten signature in dark ink, appearing to read "James L. Elmore". The signature is fluid and cursive, with the first name "James" being more prominent.

James L. Elmore, Ph.D.

Alternate NEPA Compliance Officer

Enclosures

cc:

Gary L. Riner, EM-92

Wayne Tolbert, SAIC



Department of Energy

Oak Ridge Operations Office
P.O. Box 2001
Oak Ridge, Tennessee 37831—

June 2, 1999

Dr. Lee Barclay
U.S. Fish and Wildlife Service
446 Neal Street
Cookeville, Tennessee 37501

Dear Dr. Barclay:

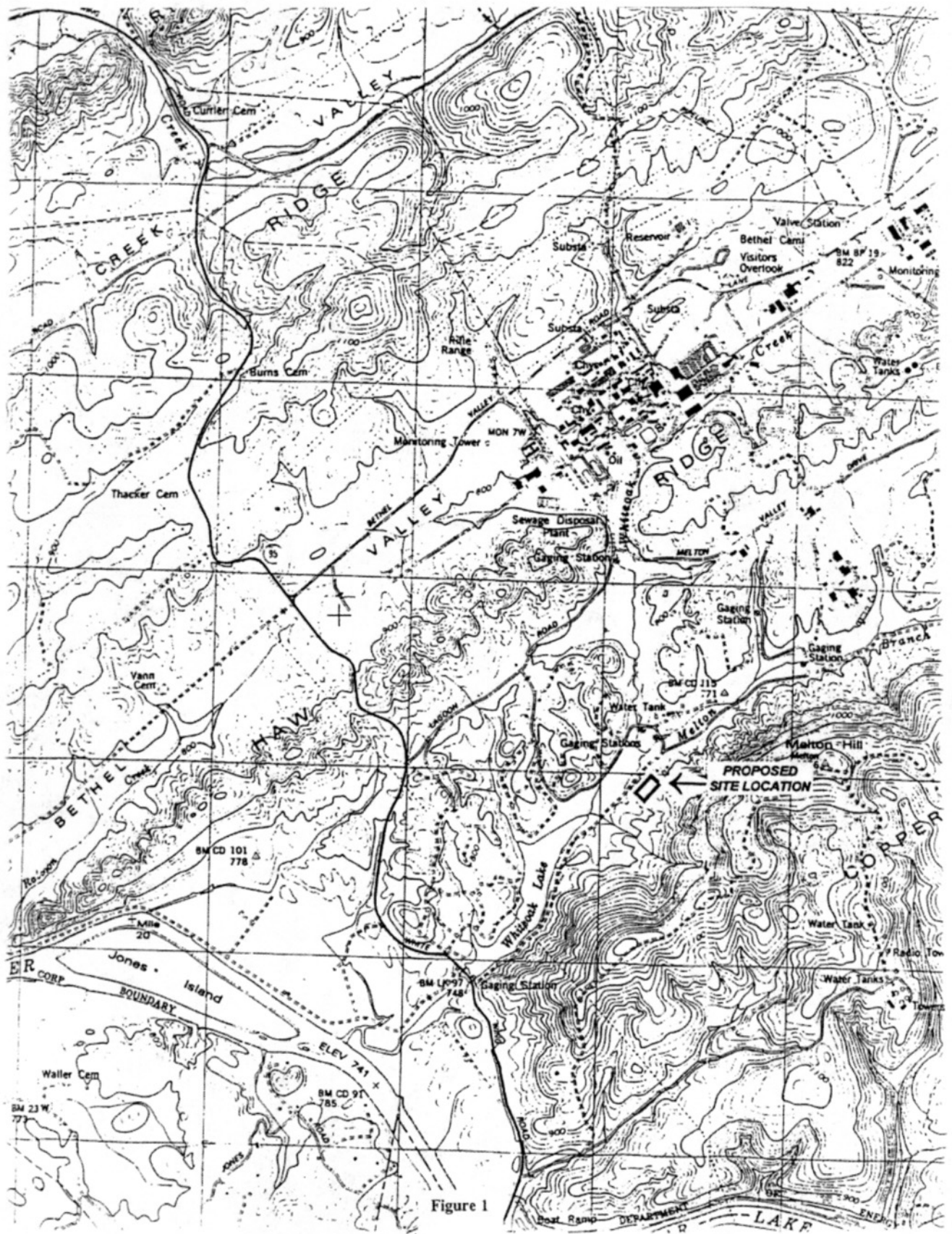
INFORMAL CONSULTATION UNDER SECTION 7 OF THE ENDANGERED SPECIES ACT FOR THE PROPOSED TRANSURANIC WASTE TREATMENT PROJECT AT THE OAK RIDGE RESERVATION, OAK RIDGE, TENNESSEE

The United States Department of Energy (DOE) needs to ensure the safe and efficient retrieval, processing, certification, and disposition of legacy transuranic (TRU) waste at Oak Ridge National Laboratory (ORNL). The regional location of ORNL is shown in Figure 1. Waste retrieval operations are currently underway to prepare ORNL TRU waste for processing.

Under the proposed action, a waste treatment facility for the ORNL legacy TRU waste would be constructed, operated for approximately six years, and decontaminated/decommissioned under a contract awarded to the Foster Wheeler Environmental Corporation. DOE would lease the Melton Valley Storage Tanks and adjacent land area totaling approximately 10 acres for construction of the facility. The proposed 37,000 square foot treatment facility would be located within an approximate 5 acre plot of land, fenced, and have controlled access to Tennessee State Highway 95 located 1.25 miles away. The first shipment of treated waste to the Waste Isolation Pilot Plant (WIPP) facility for disposal would be expected in 2003. The proposed construction area is shown in Figure 2.

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This letter is intended to serve as informal consultation under Section 7 of the Endangered Species Act. In this regard, DOE requests an updated list of protected species and habitat on or near the project site and solicits your recommendations and comments about the potential effects of this proposed action. Your input will be used in the preparation of an environmental impact statement for this action pursuant to the National Environmental Policy Act.



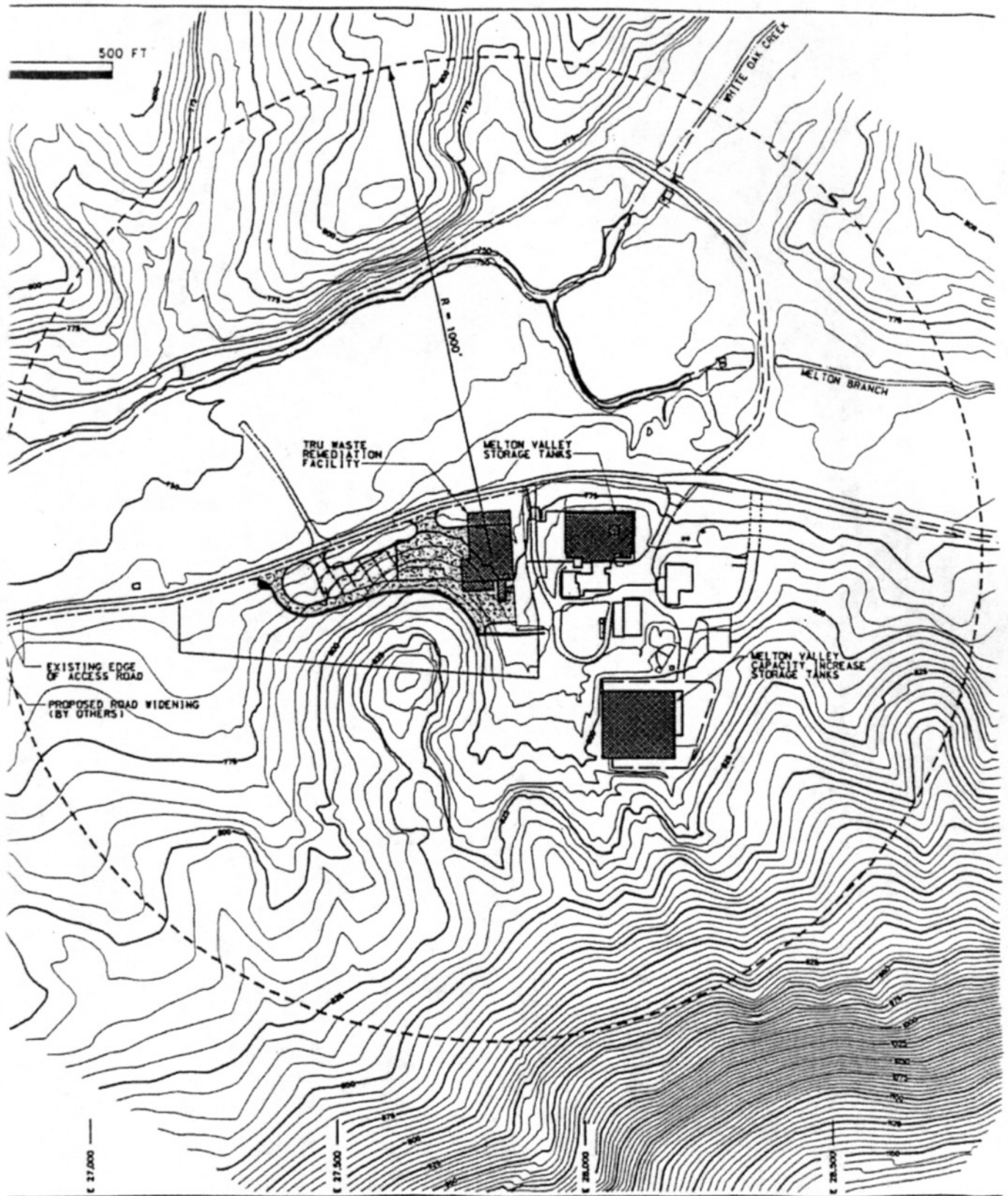


Figure 2

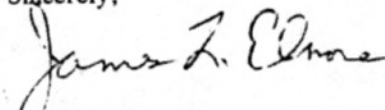
Dr. Lee Barclay

-2-

June 2, 1999

If you need further information on this request, please do not hesitate to call me at (423) 576-0938.

Sincerely,



James L. Elmore, Ph.D.
Alternate NEPA Compliance Officer

Enclosures

cc:

Gary Riner, EM-92
Wayne Tolbert, SAIC



United States Department of the Interior

FISH AND WILDLIFE SERVICE

446 Neal Street
Cookeville, TN 38501

July 8, 1999

Mr. James L. Elmore, Ph.D.
U.S. Department of Energy
Oak Ridge Operations Office
P.O. Box 2001
Oak Ridge, Tennessee 37831

Dear Dr. Elmore:

Thank you for your letter and enclosures of June 2, 1999, regarding the preparation of an Environmental Impact Statement (EIS) for the construction of a transuranic legacy waste treatment facility at the Oak Ridge Reservation in Roane County, Tennessee. U.S. Fish and Wildlife Service (Service) personnel have reviewed the information submitted and offer the following comments for consideration.

According to our records, the following federally listed endangered species are known to occur near the potential project impact area:

gray bat	(<i>Myotis grisescens</i>)
pink mucket pearlymussel	(<i>Lampsilis abrupta</i>)

Qualified biologists should assess potential impacts and determine if the proposed project may affect the species. We recommend that you submit a copy of your assessment and finding to this office for review and concurrence. A finding of "may affect" could require the initiation of formal consultation procedures.

These constitute the comments of the U.S. Department of the Interior in accordance with provisions of the Endangered Species Act (87 Stat. 884, as amended: 16 U.S.C. 1531 et seq.). We appreciate the opportunity to comment. Should you have any questions or need further assistance, please contact Steve Alexander of my staff at 931/528-6481, ext. 210.

Sincerely,

Timothy B. Menzies

for Lee A. Barclay, Ph.D.
Field Supervisor

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AMESQ

Log No. C 0902
Date Received JUL 12 1999
File Code _____



Department of Energy

Oak Ridge Operations Office
P.O. Box 2001
Oak Ridge, Tennessee 37831—

June 28, 1999

Mr. Joseph Garrison
Tennessee Historical Commission
Department of Environment and Conservation
2941 Lebanon Road
Nashville, Tennessee 37243-0442

Dear Mr. Garrison:

**NATIONAL HISTORIC PRESERVATION ACT, SECTION 106 COMPLIANCE,
TRANSURANIC WASTE TREATMENT FACILITY, OAK RIDGE NATIONAL
LABORATORY, OAK RIDGE TENNESSEE**

Enclosed is a Project Summary for the proposed construction, operation, and decontamination/decommission of a Transuranic (TRU) Waste Treatment Facility, Roane County, Tennessee. The Department of Energy Oak Ridge Operations (DOE ORO) has determined that the proposed project would have no affect on historical, archeological, or cultural resources included or eligible for inclusion in the National Register of Historic Places (National Register). This determination is included with the Project Summary. The proposed project is addressed in the *Programmatic Agreement Among The Department Of Energy Oak Ridge Operations Office The Tennessee State Historic Preservation Officer And The Advisory Council On Historic Preservation Concerning The Management Of Historical And Cultural Properties At The Oak Ridge Reservation (PA) at Section III.D.1.*

DOE ORO requests documentation of your concurrence with DOE ORO's determination for this proposed project. If you have questions or need additional information related to this proposed project please call me at (423) 576-9574.

Sincerely,

A handwritten signature in dark ink, reading "Ray T. Moore".

Ray T. Moore
DOE ORO Cultural Resources
Management Coordinator

Enclosure

cc w/enclosure:

E.C. Document Center, Y-12, Bldg. 9734, MS-8130

cc w/o enclosure:

See Page 2

cc w/o enclosure:

Gary Riner, EM-91

Mark Belvin, ER-11, ORNL Site Office

James Hall, LMER, Bldg. 6026, MS-6395

Sheila Thornton, Bechtel Jacobs, Bldg. K-1550-E, MS 7235

Jennifer Webb, LMES, Bldg. 9115, MS 8219, Y-12

Mick Wiest, LMES, Bldg. 9116, MS 8098, Y-12

Jack Newman, Bechtel Jacobs, 55 Jefferson, Room 117, MS 7604

Wayne Tolbert, SAIC, 800 Oak Ridge Turnpike, Oak Ridge, TN 37831

memorandum

DATE: July 21, 1999

REPLY TO

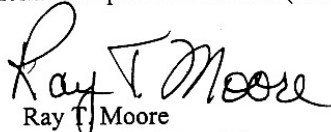
ATTN OF: SE-32:Moore

SUBJECT: **NATIONAL HISTORIC PRESERVATION ACT, SECTION 106 COMPLIANCE,
TRANSURANIC WASTE TREATMENT FACILITY, OAK RIDGE NATIONAL
LABORATORY, OAK RIDGE, TENNESSEE**

TO: Gary L. Riner, Program Manager, Transuranic Waste Treatment Facility, EM-921

Attached is a letter from the Tennessee State Historic Preservation Officer (SHPO) that concurs with the Department of Energy Oak Ridge Operations (DOE ORO) determination that the proposed construction, operation, and decontamination/decommission of a Transuranic (TRU) Waste Treatment Facility, Roane County, Tennessee, would have no adverse affect to properties included or eligible for inclusion in the National Register of Historic Places. With the SHPO's determination, DOE ORO has complied with Section 106 of the National Historic Preservation Act for this proposed project.

If you have questions or need additional information please call me at (423) 576-9574.



Ray T. Moore
DOE ORO Cultural Resources
Management Coordinator

Attachment

cc w/attachment:

E.C. Document Center, Y-12, Bldg. 9734, MS-8130

cc w/o attachments:

Mark Belvin, ER-11, ORNL Site Office

James Hall, LMER, Bldg. 6026, MS-6395

Sheila Thornton, Bechtel Jacobs, Bldg. K-1550-E, MS 7235

Jennifer Webb, LMES, Bldg. 9115, MS 8219, Y-12

Mick Wiest, LMES, Bldg. 9116, MS 8098, Y-12

Wayne Tolbert, SAIC, 800 Oak Ridge Turnpike, Oak Ridge, TN 37831

Jack Newman, Bechtel Jacobs, 55 Jefferson, Room 117, MS 7604



TENNESSEE HISTORICAL COMMISSION
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
2941 LEBANON ROAD
NASHVILLE, TN 37243-0442
(615) 532-1550

July 2, 1999

Mr. Ray T. Moore
USDOE/Oak Ridge Operations
Post Office Box 2001
Oak Ridge, Tennessee 37831-8739

RE: DOE, TRANSURANIC WASTE TREATMENT FAC., OAK RIDGE, ROANE COUNTY

Dear Mr. Moore:

Pursuant to your request received by this office on Wednesday, June 30, 1999, this office has reviewed documentation concerning the above-referenced undertaking. This review is a requirement of Section 106 of the National Historic Preservation Act for compliance by the participating federal agency or applicant for federal assistance. Procedures for implementing Section 106 of the Act are codified at 36 CFR 800 (RIN3010-AA04: June 17, 1999), and an Agreement Document.

Considering available information, we find that the project as currently proposed will not adversely affect any property that is eligible for listing in the National Register of Historic Places. Therefore, this office has no objection to the implementation of this project. Please direct questions and comments to Joe Garrison (615)532-1559. We appreciate your cooperation.

Sincerely,

Herbert L. Harper
Executive Director and
Deputy State Historic
Preservation Officer

HLH/jyg

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Log No.	C 0884
Date Received	JUL 07 1999
File Code	2182.2

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